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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/433,497	11/03/1999	THIRU SRINIVASAN	1613(42059-0	2641
20350	7590	03/25/2004	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			FERRIS, DERRICK W	
			ART UNIT	PAPER NUMBER
			2663	16

DATE MAILED: 03/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/433,497

Applicant(s)

SRINIVASAN, THIRU

Examiner

Derrick W. Ferris

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-30,32,33 and 42-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28-30,32,33 and 42-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 November 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. **Claims 28-30, 32-33, and 42-60** as amended are still in consideration for this application.

Applicant has amended claims 28, 42, and 51. Applicant has added claims 57-60.

2. Examiner **withdraws** the obviousness rejection to *Nadeau* in view of *Smyk* and *White* and in further view of *Swartz* for Office action filed 11/17/03. In addressing applicant's arguments, applicant has amended the claims to further recite the relationship of a plurality of destination addresses to a routing address (e.g., see applicant's figure 5 with respect to representing a plurality of destination addresses 82 with a single routing address 90). In particular, applicant recites the following in the claims:

"a subscriber profile database accessible by the SCP so as to provide telephonic routing information in response to a detected incoming call to any of a plurality of destination addresses associated with the subscriber, the destination addresses associated with that subscriber each representing a different means for communicating with that subscriber"

Examiner notes that given a reasonable but broad interpretation of the claims, *Nadeau* discloses a plurality of destination addresses. Thus examiner respectfully disagrees with applicant.

Specifically, *Nadeau* teaches the following at column 9, lines 31-46:

"In order to access the ACS system from a phone, the user must dial into the system, using either a dedicated DN or feature code, and inform the system of the particular individual, listed in his/her subscriber directory, to be reached, either by speaking a name (Voice-Activated Dialling or VAD) or by entering the DN or any other code uniquely identifying the party to be called. The ACS system will then complete the call according to the routing instructions stored by the user. If the call must be completed over the Internet and only a pseudo-address is available, the ACS system will automatically fetch the current IP address from the Internet. If the called party is currently connected, the ACS system will direct the PSTN portion of the call to a VOIP gateway, which will connect the caller to the called party via the Internet."

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Thus *Nadeau* teaches a plurality of destination addresses to reach an end user. However, assuming, arguendo, that the above limitation is not taught, the examiner has replaced the previous rejection with a new rejection adding an additional reference that teaches the above-limitation (see new rejection below).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 28-30, 32-33, 42-44, 50-55 and 57-60** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,240,449 B1 to *Nadeau* in view of U.S. Patent No. 6,161,128 A to *Smyk*, U.S. Patent No. 6,021,126 A to *White et al.* ("*White*"), and U.S. Patent No. 6,163,605 A to *Horrer et al.* ("*Horrer*").

As to **claim 28**, *Nadeau* teaches the limitation of at least one interactive screen display presentable to the system users wherein the interactive system screen displays may establish routing instructions for one or more routing addresses based on at least date and time of day a connection is attempted with any of the plurality of destination addresses (e.g., see column 10, lines 23-30 with respect to an interactive display and column 10, lines 8-20 respect to time date and time of day routing). *Nadeau* also discloses a database in general for accessibly by the SCP so as to provide telephonic routing in response to a detected incoming telephone call to any of a plurality of

destination addresses selected by the subscriber (e.g., see column 9, line 8 – column 9, lines 1-30 of *Nadeau*).

Examiner notes that *Nadeau* may be silent or deficient to a network server connectable to a network wherein the communications server is further configured to communicate with a service control point (SCP) in a telephone network. Examiner notes that it would have been obvious to one skilled in the art prior to applicant's invention to use a network server connectable to a network wherein the communications server is further configured to communicate with a service control point (SCP) in a telephone network. One motivation might be to facilitate the programming interface between the web server and database such that both use IP allowing for easy integration between a web server's interface and database (since both operate over IP). As support, examiner notes *Nadeau* discloses that the subscriber information database is on a packet network (e.g., data network) and also allows subscribers to access their profiles through a web browser [column 10, lines 23-30]. *Smyk* helps cure the above cite deficiency by further disclosing that a web front-end can also be used to make changes to service as shown in figure 2. Specifically shown in the figure is an AIN subscriber 201 connected to the Internet 202 that makes changes to service through an Internet gateway 203 via a web server 204. Not clearly disclosed by the reference is where the database is for storing subscriber information (i.e., the back-end database) such as the database for the SPACE application 206 [emphasis column 6, lines 27-47]. Shown in figure 3 is slightly more detail concerning the back-end interface 302 and application interface 301 for the web server 204. For example, the SPACE application 206 generates call processing records

(CPR) and stores them in a database associated therewith. The SPACE application 206 can be used for entering and storing service subscriber subscription data (e.g., profile information as referred to by *Nadeau*) and is the service creation and provisioning tool of the ISCP/node 205 [column 6, lines 28-44]. Examiner also notes further support taught by *White* showing a database 35 in figure 3 used to contain subscriber information used to route calls from a PSTN as illustrated in figure 4 (examiner notes that *White* is silent or deficient to how the database is populated which is taught by *Smyk* and as is known in the art). Thus with respect to the claim language, *Smyk* discloses a web server 204 used to communicate with a service control point in a telephonic network. Taught by *White* is a database 35 (i.e., subscriber information database) accessible by the SCP so as to provided telephonic routing (e.g., local number portability) in response to a detected attempt to connect with a destination address at the SCP. Shown by *Smyk* is at least one interactive screen display presentable to system users (i.e., AIN subscribers) accessing the network over the data network wherein the interactive screen displays are configured such that the system users may add, amend and/or delete routing addresses and information associated with one or more destination addresses stored in the subscriber information base (e.g., figure 5 of *Smyk*). Thus *Smyk* and *White* teach the above-cited limitation.

What appears to be at issue is the further amended limitation a subscriber profile database accessible by the SCP so as to provide telephonic routing information in response to a detected incoming call to any of a plurality of destination addresses associated with the subscriber, the destination addresses associated with that subscriber

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each representing a different means for communicating with that subscriber. Examiner notes that *Nadeau* teaches the above concept at column 9, lines 31-46. However, assuming, arguendo, that *Nadeau* is silent or deficient to the above limitation, *Horrer* further teaches the above limitation at e.g., column 5, lines 42-45. Thus the examiner proposed an additional modification to *Nadeau* to further include a plurality of destination addresses that are represented by a single routing address. Thus examiner notes that it would have been obvious to one skilled in the art prior to applicant's invention to further include a subscriber profile database accessible by the SCP so as to provide telephonic routing information in response to a detected incoming call to any of a plurality of destination addresses associated with the subscriber, the destination addresses associated with that subscriber each representing a different means for communicating with that subscriber. In particular, one skilled in the art would have been motivated to represent a plurality of destination addresses with a single routing address for the purpose of eliminating the need for the user having to recall all the called parties addresses. *Horrer* teaches this same motivation at e.g., column 1, lines 53-54. Examiner furthermore notes a reasonable expectation level of success since the destination addresses can be grouped by the system (e.g., see column 2, lines 5-8). In particular, various schemes are presented at column 5, lines 46-64 where each of these methods would work in combination with the method proposed by *Nadeau*.

As to **claim 29**, *Smyk* and *Nadeau* both disclose using web browsers [e.g., *Smyk* column 5, lines 47-63].

As to **claims 30 and 33**, *Nadeau* discloses general information stored in a subscriber database such as a subscriber number and date routing. Also mentioned is information pertaining to pager related calls such that it would have been obvious to also include information also regarding pager unavailability. One motivation might be a general time of day that a subscriber is not available to take pages.

As to **claim 32**, see at least column 3, lines 45-52 of *Smyk*.

As to **claims 42-43**, see the rejection for claim 28. Also see columns 9-10 of *Nadeau* with respect to identify a profile in the subscriber database associated with the received destination address.

As to **claim 44**, see at least figure 1 of *Nadeau*.

As to **claim 50**, see column 10, lines 23-30.

As to **claims 51**, see the rejection for claim 28.

As to **claims 52**, see the rejection for claim 44.

As to **claims 53**, see the rejection for claim 43.

As to **claims 54**, see the rejection for claim 42.

As to **claims 55**, see column 8, line 45 – column 9, line 8 of *Nadeau*.

As to **claims 57**, see the rejection for claim 28.

As to **claims 58-60**, see similar rejection to claim 28 in addition to claim 43.

5. **Claims 45-49 and 56** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,240,449 B1 to *Nadeau* in view of U.S. Patent No. 6,161,128 A to *Smyk*, U.S. Patent No. 6,021,126 A to *White et al.* (“*White*”), and U.S. Patent No. 6,163,605 A to *Horrer et al.* (“*Horrer*”) and in further view to U.S. Patent No. 6,445,694 B1 to *Swartz*.

As to **claim 45**, *Nadeau* may be silent or deficient to the further limitation of selecting subscriber destination addresses depending on the time the call was detected. In particular, *Nadeau* discloses using time-of-day routing (e.g., see column 10, lines 7-11) but may be silent or deficient with respect to selecting more than one destination address.

Swartz teaches the above-limitation at e.g., figure 7.

Examiner notes that it would have been obvious to one skilled in the art prior to applicant's invention to teach wherein the routing information includes subscriber destination addresses which are selectable depending on when the incoming call is detected. Thus the purposed modification is to allow the subscriber to selected more than one destination address based on when the call was detected. Examiner notes one skilled in the art would have been motivated to make such a change in order to allow the calling party to reach the called party at more than one address based on time/date. *Swartz* teaches this motivation in figure 7. Examiner notes a reasonable expectation of success by simply having more than one entry with respect to time-of-day routing as shown in figure 7 of *Swartz*.

As to **claim 46**, see column 8, line 45 – column 9, line 8 of *Nadeau* or figures 5 and 6 of *Swartz*.

As to **claim 47**, *Nadeau* may be silent or deficient to the further limitation of customizing information with respect to the date, time and paging information. In particular, *Nadeau* discloses using time-of-day routing (e.g., see column 10, lines 7-11) but may be silent or deficient to how such information is customized.

Swartz teaches the above-limitation at e.g., figure 7.

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Examiner notes that it would have been obvious to one skilled in the art prior to applicant's invention to customize information with respect to the date, time and paging information. Examiner notes one skilled in the art would have been motivated to make such a change in order to provide more flexibility to the user with respect to customization for call forwarding. *Swartz* teaches this motivation in figure 7. Examiner notes a reasonable expectation of success by simply having more than one entry with respect to time-of-day routing or customizing paging.

As to **claim 48**, see similar rejection for claim 47.

As to **claim 49**, *Nadeau* may be silent or deficient to the further limitation wherein the routing information is selected based on a provided location of the subscriber.

Swartz teaches the above-limitation at e.g., figure 6.

Examiner notes that it would have been obvious to one skilled in the art prior to applicant's invention to include the further limitation wherein the routing information is selected based on a provided location of the subscriber. Examiner notes one skilled in the art would have been motivated to make such a change in order to provide more flexibility to the user with respect to call forwarding and location. *Swartz* teaches this motivation in figure 6. Examiner notes a reasonable expectation of success by simply adding an additional field for location and adding an additional parameter to the selection algorithm as taught by *Swartz*.

As to **claims 56**, see the rejection for claim 49.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Derrick W. Ferris whose telephone number is (703) 305-4225. The examiner can normally be reached on M-F 9 A.M. - 4:30 P.M. E.S.T.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on (703) 308-5340. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Derrick W. Ferris
Examiner
Art Unit 2663


DWF


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